

THE EFFECTIVE DATE OF THIS ORDINANCE IS AUGUST 6, 2002

ORDINANCE NO. 02-18-314

ORDINANCE OF
THE BOARD OF COUNTY COMMISSIONERS
OF FREDERICK COUNTY, MARYLAND

Re: Commission on Aging and Department of Aging

RECITALS

WHEREAS, Section 1-2-70 of the Frederick County Code established a County Commission on Aging by Resolution of the Board of County Commissioners dated December 20, 1965, and

WHEREAS, Section 1-2-71 defines the membership of that Commission, and

WHEREAS, Section 1-2-72 establishes a chairman appointed by the Board of County Commissioners and directs in an amendment that the chairman “shall have the responsibility of administering programs and activities as approved by the board of subdivisions from time to time”, and

WHEREAS, the amendment of the provisions in Section 1-2-72, “and shall have the responsibility of administering programs and activities as approved by the board of subdivisions from time to time,” was added to the original sections of the Frederick County Code that established the Commission on Aging and was approved and adopted by the Board of County Commissioners in Resolution No. 77-14, on the 13th day of September 1977, and

WHEREAS, Section 1-2-70, 1-2-71, the remaining portion of 1-2-72, and 1-2-73 (Powers and duties) were established by unanimous resolution of the Board of County Commissioners passed and approved on the 20th day of December 1965, and

WHEREAS, since the establishment of the Commission on Aging, there has been created a Department of Aging for Frederick County, which, among other duties has the authority and responsibility of administering programs and activities as approved by the Board of County Commissioners, and

WHEREAS, the Board desires to revise Article V to create Divisions distinguishing the Commission on Aging and the Department of Aging; and

WHEREAS, the Board of County Commissioners held a duly advertised public hearing on these proposed revisions on August 6, 2002, at which time the public had an opportunity to comment.

NOW THEREFORE BE IT ENACTED AND ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY, MARYLAND that Article V be amended as follows:

ARTICLE V. [COMMISSION ON] AGING [*]

DIVISION 1. COMMISSION ON AGING

Sec 1-2-70. Created.

There is hereby established a FREDERICK County Commission on Aging.

Sec. 1-2-71.1. Members.

The FREDERICK County Commission on Aging shall consist of [representatives of groups having an interest or function related to the areas of activity affecting elderly citizens and those individuals in the advanced age group and ex officio members representing agencies of the county government as appropriate] FIFTEEN (15) MEMBERS WHO SHALL BE RESIDENTS OF FREDERICK COUNTY AND REGISTERED VOTERS AND SHALL BE PERSONS WHO HAVE DEMONSTRATED AN INTEREST IN THE ISSUES OF THE SENIOR CITIZENS OF FREDERICK COUNTY. AT LEAST FIFTY PERCENT (50%) OF THE MEMBERS MUST BE SIXTY (60) YEARS OF AGE OR OLDER. MEMBERS SHOULD BE REPRESENTATIVE OF THE GEOGRAPHIC AREAS OF FREDERICK COUNTY. NO MORE THAN TWENTY PERCENT (20%) OF THE MEMBERS SHALL BE PROVIDERS

OF SERVICES TO SENIOR CITIZENS IN FREDERICK COUNTY. Members of the FREDERICK County Commission on Aging will be appointed by the Board of County Commissioners and will serve for a period of three (3) years without compensation. Members shall be eligible for reappointment and THE BOARD OF COUNTY COMMISSIONERS SHALL FILL any vacancy occurring at any time in the membership of the Commission [shall be filled by the Board of County Commissioners] for the REMAINDER OF THE unexpired term WITH A PERSON WITH THE SAME OR SIMILAR BACKGROUND AS THE MEMBER WHO IS BEING REPLACED.

SEC. 1-2-71.2. EX-OFFICIO MEMBERS

EX-OFFICIO NON-VOTING MEMBERS SHALL INCLUDE REPRESENTATIVES OF FREDERICK COUNTY AGENCIES, THE DIRECTOR AND SELECTED STAFF MEMBERS OF THE DEPARTMENT OF AGING, THE DIRECTOR OF THE DIVISION OF CITIZEN SERVICES AND AN ELECTED OFFICIAL FROM BOTH THE CITY OF FREDERICK AND THE BOARD OF COUNTY COMMISSIONERS.

Sec. 1-2-72. Chairman

The [chairman] CHAIRPERSON AND VICE-CHAIRPERSON of the FREDERICK County Commission on Aging shall [be appointed by the Board of County Commissioners, and shall have the responsibility of administering programs and activities as approved by the board of subdivisions from time to time] BE ELECTED BY THE MEMBERSHIP.

Sec. 1-2-73. Powers and duties.

The FREDERICK County Commission on Aging shall have the power to [make such surveys concerning the problems of the aging as it may determine or as directed by the Board of County Commissioners, and promote in every manner possible the welfare and betterment of the aged people of the county] PROMOTE THE WELL-BEING AND THE QUALITY OF LIFE OF OLDER ADULTS IN FREDERICK COUNTY. THE COMMISSION MAY CONDUCT AND/OR PARTICIPATE IN SPECIAL EVENTS, COMMUNITY PROGRAMS AND OTHER FUNCTIONS THAT PROMOTE THE INTERESTS OF OLDER ADULTS IN FREDERICK COUNTY. THE COMMISSION SHALL SERVE AS AN ADVISORY COUNCIL TO THE DEPARTMENT OF AGING AS DEFINED IN THE OLDER AMERICANS ACT OF 1965 AS AMENDED AND ADVISE THE DIRECTOR OF THE DEPARTMENT OF AGING ON ISSUES AND DECISIONS RELATED TO THE SERVICES OF THE DEPARTMENT. THE COMMISSION MAY ALSO MAKE RECOMMENDATIONS FOR ACTION TO THE BOARD OF COUNTY COMMISSIONERS. THE COMMISSION MAY ESTABLISH A BUDGET AND REQUEST FUNDING TO CARRY OUT ITS PURPOSES.

[It shall be the duty of the commission to submit an annual report, and more frequently if needed, to the Board of County Commissioners setting forth the results of its studies and its recommendations for action by the Board of County Commissioners.]

DIVISION 2. DEPARTMENT OF AGING

SECTION 1-2-73.1. CREATION, PURPOSE, POWERS.

- 1) THERE IS HEREBY ESTABLISHED A FREDERICK COUNTY DEPARTMENT OF AGING WHICH HAS THE RESPONSIBILITY OF ADMINISTERING PROGRAMS AND ACTIVITIES AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS.
- 2) THE FREDERICK COUNTY DEPARTMENT OF AGING IS AN AREA AGENCY ON AGING AS DEFINED IN THE ANNOTATED CODE OF MARYLAND, ARTICLE 70B, SECTION 1(B) AND IS THE LOCAL AGENCY DESIGNATED BY THE MARYLAND DEPARTMENT OF AGING, PURSUANT TO THE FEDERAL OLDER AMERICANS ACT OF 1965, (AS AMENDED) WITHIN A PLANNING AND SERVICE AREA, TO ADMINISTER THE DELIVERY OF A COMPREHENSIVE AND COORDINATED PLAN OF SOCIAL AND OTHER SERVICES AND ACTIVITIES FOR THE ELDERLY.
- 3) THE DEPARTMENT SHALL HAVE THE AUTHORITY AND RESPONSIBILITY TO CREATE, IMPLEMENT, ADMINISTER AND CEASE PROGRAMS AND ACTIVITIES AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS. THE DEPARTMENT SHALL ACT PURSUANT TO STATE AND FEDERAL LAWS THAT DIRECT AND FUND SERVICES AND ACTIVITIES FOR THE ELDERLY. THE DIRECTOR SHALL MEET REGULARLY WITH THE FREDERICK COUNTY COMMISSION ON AGING KEEPING THE MEMBERS INFORMED OF PROGRAMS AND PROGRESS OF THE DEPARTMENT OF AGING, COORDINATING ACTIVITIES AS APPROPRIATE AND RECEIVING SUGGESTIONS FROM THE COMMISSION.

The undersigned hereby certify that this Ordinance was approved and adopted on this 6th day of August, 2002.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF FREDERICK COUNTY, MARYLAND

_____/s/
Douglas D. Browning
Acting County Manager

By: _____/s/
David P. Gray
President